

United States District Court  
Southern District of Texas  
FILED

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

NOV 14 2015

Clerk of Court

United States of America

v.

Victor Samir Espinosa-Morales

YOB: 1994

Mexican Citizen

Case No.

M-15-1987-M

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 13, 2015 in the county of Hidalgo in the  
Southern District of Texas, the defendant(s) violated:

## Code Section

## Offense Description

21 USC 952(a)

Knowingly and intentionally import into the United States from the United Mexican States approximately 1.16 kilograms of methamphetamine, a Schedule II controlled substance, and did knowingly and intentionally possess with the intent to distribute approximately 1.16 kilograms of methamphetamine, a Schedule II controlled substance

21 USC 841(a)(1)

This criminal complaint is based on these facts:

On November 13, 2015, at approximately 6: 15 p.m., Victor Espinosa-Morales applied for admission into the United States through a pedestrian lane at the Hidalgo, Texas Port of Entry (POE). Prior to being inspected for admission into the United States, Customs and Border Protection (CBP) Officer Fidencio Castaneda observed that Espinosa-Morales was standing very close to a female in line ahead of him.

See Attachment "A"

✓ Continued on the attached sheet.

Complainant's signature

Robert Castillon, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date:

11/14/2015

Judge's signature

City and state: McAllen, Texas

Dorina Ramos, U.S. Magistrate Judge

Printed name and title

### **Attachment "A"**

CBP Officer Castaneda then inspected Espinosa-Morales to determine whether Espinosa-Morales would be admitted into the United States. Espinosa-Morales informed CBP Officer Castaneda that he was travelling into the United States to meet with some friends at a Pizza Hut in McAllen, Texas. CBP Officer Castaneda asked Espinosa-Morales to unzip his jacket and show him his waist area. Espinosa-Morales hesitated and then partially unzipped his jacket. CBP Officer Castaneda then ordered Espinosa-Morales to fully unzip his jacket, which Espinosa-Morales did hesitantly. CBP Officer Espinosa-Morales observed an unusual bulge on the small of Espinosa-Morales' back. CBP Officer Castaneda placed his hand on the bulge which he determined to be a wrapped object around Espinosa-Morales' waist. Espinosa-Morales was then placed in handcuffs and escorted to Passport Control secondary area for a pat down.

Once in Passport Control secondary area, CBP Officer David Sanchez witnessed CBP Officer Jose Canales conduct a pat down search of Espinosa-Morales. As a result of the pat down search, two packages were discovered wrapped around the mid-section of Espinosa-Morales' body. The content of the packages was field tested which tested positive for the characteristics of methamphetamine.

Homeland Security Investigations (HSI) Special Agent (SA) Robert L. Castillon was apprised of the situation and responded to the Hidalgo, Texas POE. HSI SA Castillon and CBP Officer Javier Gaytan conducted a post Miranda interview on Espinosa-Morales. Espinosa-Morales stated he goes to school in Monterrey Mexico and frequently travels to Reynosa, Mexico to visit his family. Espinosa-Morales further stated that he frequently smokes marijuana and the person who he purchases marijuana from offered him a job to transport several packages of narcotics into the United States from Mexico. Espinosa-Morales admitted that he agreed to transport the narcotics and on November 13, 2015, he met with several unknown individuals at a residence in Reynosa, Mexico where they taped the narcotics to his body. Espinosa-Morales then stated that he walked across the Hidalgo, Texas POE, with the narcotics on his body, and applied for entry into the United States. Espinosa-Morales admitted that he knew he was transporting narcotics into the United States and also admitted that he knew it was illegal to transport narcotics into the United States. Espinosa-Morales lastly stated he agreed to transport the narcotics into the United States because he was going to be paid \$400 and wanted to purchase a PlayStation game console with the proceeds.

The total weight of the methamphetamine was 1.16 kilograms.